

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Ind. & Com. Dept. – Regularization of the services of erstwhile Hyderabad Allwyn Limited redeployed employees in to Govt., Departments, by allowing seniority, considering the qualification, eligibility for holding the respective equivalent post/ cadre in the Departments, on par with the regular Government Servants with all consequential benefits from the date of deployment where they are presently positioned as per orders of Hon'ble A.P.A.T., in O.A.Nos.6243/2004 and batch dated 12.9.2008 – Orders – Issued.

G.O.MS.No. 77

Dated:26.02.2009
Read the following:

1. G.O.Ms.No.87, Ind.& Com (IFR.II) Dept., Dt: 24.03.2003
2. G.O.Ms.No.337, Ind.& Com (IFR.II) Dept., Dt: 17.11.2003
3. A.P.A.T., Hyderabad orders in O.A.No.6243/2004 and batch , dt:12.09.2008

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ORDER:

In the reference first read above, orders have been issued formulating the special scale for the redeployed workmen of erstwhile Hyderabad Allwyn Limited considering the report of the committee of officers and the modifications suggested by the Cabinet Sub-committee on services, in pursuance of orders of the Hon'ble Supreme Court of India dated:18.09.2001 in Civil Appeal No.6734 – 6745 of 2000 and others.

2. In the reference second read above, the Govt. after due consideration have issued guidelines in regard to applicability of the appropriate pay scales in respect of the workmen of the erstwhile Hyderabad Allwyn Limited.

3. Aggrieved by the orders issued in the reference first and second read above, certain redeployed employees of Hyderabad Allwyn Limited have filed O.A.No.6243/2004 and batch challenging the following paras of the orders issued in G.O. first read above: Para 10 (2) , 10 (3), 10 (4) (a), 10 (4) (b), 10 (5), 10 (6), 10 (7), 10 (8) and following para Number of orders issued in G.O. second read above Para 4 (1), 4 (2), 4(5), 4 (8), 4 (11), 4 (12), 4 (13).

4. In the reference third read above, while setting aside the above paras the A.P.A.T., has directed the first respondent i.e. Secretary to Govt., Industries and Commerce Department to treat all these employees as regular Government Servants and extend all the benefits to which they are eligible just like other regular Government Servants with all consequential benefits.

5. Representations have also been received from such of those employees working against the supernumerary posts created stating that they are discharging the duties attached to them in the Government Departments, to which they were attached on par with other regular employees in those Departments and drawing, however the scales of pay originally sanctioned for the supernumerary posts, that they have put in more than 15 years of service in the same status without knowing their future and that they may be declared as Government employees and on that basis they may be placed on probation from the date of their joining duty in the respective Government Departments against the supernumerary posts.

6. The said representations have been examined by the Government, keeping in view the orders of A.P.A.T in O.A.No.6243 of 2004 and batch dated: 12.09.2008 and it was decided to accept the said decision of the A.P.A.T. Accordingly following orders are issued:

- (a) Consequent upon the winding up of the Hyderabad Allwyn Limited and such of the employees appointed in various Government Departments/ Offices against the supernumerary posts on and from 03.05.1993 be treated as A.P. State Government Employees on par with employees working in such equivalent categories in those Departments.
- (b) The order in item (a) above shall be subject to fulfillment of qualifications prescribed in the special rules for such equivalent post in Government Departments subject to however not insisting upon the maximum age qualification prescribed for each such category of posts on and from 3.5.1993.
- (c) The employees now absorbed on and from 3.5.1993 against supernumerary posts created shall be adjusted in the next last regular vacancies that may arise on or after 3.5.1993 in the respective Department, duly abolishing the supernumerary posts created on that basis.
- (d) On such absorption, if any special rule provide passing of departmental tests/trainings, the employee now considered to be absorbed, be asked to pass such tests/trainings within a period of 2 years from the date of issue of this order.
- (e) On such absorption, subject to qualifications these employees, who are eligible for inclusion of their names in the list of cadre strength/seniority list of each category shall be below the last regular candidate already appointed by the respective Departments, as on 3.5.1993 and on that basis they are entitled for promotion to higher post, as per rules, subject to however giving show cause notice to those employees who likely to be affected.
- (f) To the above extent, if any posts are within the purview of APPSC for making direct recruitment separate orders will be issued by General Administration (Ser.A) Department for keeping such posts outside the purview of APPSC, for this purpose, to the extent required. The Heads of Departments concerned and Departments of Secretariat under whom the redeployed employees are working shall furnish full information to General Administration (Ser.A) Department and the Secretary, APPSC directly for further action at their end in consultation with Finance Department wherever required.
- (g) In respect of redeployed employees working on consolidated pay basis, they be considered for absorption in any of the categories identified in the A.P. Last Grade Service Rules on and from 3.5.1993
- (h) The absorption now ordered will not attract the provisions contained in Act 2/1994.

7. The above orders are subject to outcome of any OAs/ WPs pending in Hon'ble A.P.A.T./Hon'ble High Court of Andhra Pradesh.

8. All Heads of Departments and Departments of Secretariat shall take immediate further action in this regard.

9. This order issues with the concurrence of Public Enterprises Department vide their U.O.No.3131/PE.III/A1/2008-1, Dt:22.12.2008 and Finance Department, U.O. No.3560/53/A1/PC.III/2009, dt:05.02.2009.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SECRETARY TO GOVERNMENT

To,
All Heads of Department
All Departments in Secretariat
The Accountant General of Andhra Pradesh, Hyderabad
The Pay and Accounts Office, Hyderabad.
The Secretary to Government, APPSC, Hyderabad.
All District Treasury Officers,
The Special Resident Commissioner,
A.P. Bhavan, No.1, Ashoka Road, New Delhi.
P.S to Hon'ble C.M.,
PRO to Hon'ble C.M.
P.S. to Hon'ble Minister, Finance.
P.S. to Hon'ble Minister to Major Industries.
The Finance (Ind. Exp.) Department.
The Finance (PC) Department.
The Public Enterprises Department.
The Law Department.
The G.A. (Ser.A) Department.
P.S. to Chief Secretary,
P.S. to Prl. Secretary to Government, Finance (R&E) Department.
P.S. to Secretary to Government, Industries & Commerce Department.
The Industries & Commerce (OP.I) Department

// Forwarded :: By Order//

SECTION OFFICER